

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DANIEL NEIL JACKSON,

Plaintiff,

v.

Case No.: 7:22-cv-00090

D. DAMERON, et al.

Defendants.

**KYLE SMITH, MD AND DERINDA DAMERON, RN'S
MOTION FOR SUMMARY JUDGMENT**

COME NOW, Kyle Smith, MD (identified in the Complaint as “Dr. K. Smith”) and Derinda Dameron, RN (identified in the Complaint as “D. Dameron, RN”), by counsel, and pursuant to Rule 56 of the Federal Rules of Civil Procedure as well as Local Rules 56 and 11(c), hereby file this Motion for Summary Judgment in response to Plaintiff’s operative pleading. A Memorandum in Support accompanies this Motion as required by the Local Rules.

Respectfully submitted,

**KYLE SMITH, MD and
DERINDA DAMERON, RN**

/s/ Grace Morse McNelis
Grace Morse-McNelis, Esq., VSB No. 75957
Ericka W. Kopp, Esq. VSB No. 98265
Frith Anderson + Peake
4198 Cox Road, Suite 102
Glen Allen, VA 23060
Phone – (804) 362-0078
Fax – (540) 772-9167
gmorsemcnelis@faplawfirm.com
ekopp@faplawfirm.com

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of June, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and I further certify that I will mail the document by U.S. mail to the following non-filing user:

Daniel Neil Jackson, 1182398
VADOC Centralized Mail Distribution Center
3521 Woods Way
State Farm, Virginia 23160
Plaintiff, *pro-se*

/s/ Grace Morse McNelis
Grace Morse-McNelis, Esq., VSB No. 75957
Ericka W. Kopp, Esq. VSB No. 98265
Frith Anderson + Peake
4198 Cox Road, Suite 102
Glen Allen, VA 23060
Phone – (804) 362-0078
Fax – (540) 772-9167
gmorsemcnelis@faplawfirm.com
ekopp@faplawfirm.com